

BEFORE THE HUMAN RIGHTS COMMISSION  
OF THE STATE OF MONTANA

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WILLIE STUMP,	)	
	)	
Charging Party,	)	Cause No. 0041010643
	)	
vs.	)	<b>ORDER AFFIRMING</b>
	)	<b>NOTICE OF DISMISSAL</b>
	)	
ROCKY BOY PUBLIC SCHOOL	)	
DISTRICT,	)	
	)	
Respondent.	)	

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On March 2, 2004, the Human Rights Bureau issued a Final Investigative Report and corresponding Notice of Dismissal and Notice of Right to Sue in the above-captioned matter. Charging Party (Willie Stump) filed an objection with the Montana Human Rights Commission (Commission). Oral argument was not requested. The Commission considered the matter on May 21, 2004.

In the Final Investigative Report (FIR), the Human Rights Bureau Investigator determined a preponderance of the evidence did not support Willie Stump's assertion that he had been discriminated on the basis of disability or perceived disability by Rocky Boy Public School District. In reaching its decision, the Commission noted the record established that Stump submitted an incomplete application to Rocky Boy Public School District. The Commission further determined the record established the person offered the position was duly qualified.

Therefore, after careful and due consideration, the Commission concludes the findings of the Human Rights Bureau are supported by the record and, therefore, there was no abuse of discretion in the issuance of a Notice of Dismissal. *Admin. R. Mont. 24.9.1714(3)*

Charging Party will have 90 days after the receipt of this order to petition a district court in the district where the alleged violation occurred for the appropriate relief. *Mont. Code Ann. § 49-2-509(5) and Admin. R. Mont. 24.9.1714(5)* If Charging Party fails to commence a civil action within 90 days, the claim is time barred. *Id.*

IT IS HEREBY ORDERED, that Charging Party's objection is overruled. The Commission adopts the findings of the Human Rights Bureau and the notice of dismissal is affirmed.

Dated this \_\_\_\_\_ day of May, 2004.

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Mr. Gary Hindoien, Chair  
Montana Human Rights Commission

## **CERTIFICATE OF SERVICE**

The undersign employee of the Human Rights Bureau certifies that a true copy of the forgoing Human Rights Commission ORDER was served on the following persons by U.S. mail, postage prepaid, on May \_\_\_\_ 2004.

WILLIE STUMP  
RR1 PO BOX 1025  
BOX ELDER MT 59521

SANDRA MURIE  
ROCKY BOY PUBLIC SCHOOL DISTRICT 87  
BOX 620 RR #1  
BOX ELDER MT 59521

MARIEKE BECK  
DEPARTMENT OF LABOR AND INDUSTRY  
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Montana Human Rights Bureau